IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

Bail Appl..No. 7396 of 2007()

CMP.9322/2007 of J.M.F.C.-I,NEYYATINKARA
CRIME NO.192/07 OF ARYANKODE POLICE STATION

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PETITIONERS : ACCUSED:

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1. SAVIL KUMAR, S/O.SADASIVAN NAIR,
   VEENUS, PANAMVILA, KUTTIYANKAD DESOM,
   KEEZHAROOR VILLAGE, THIRUVANANTHAPURAM.

2. VISHNU, S/O.ASHOKAN, PILIKOTTUCONAM,
   AMBOTHALA, KUTTIYANKAD DESOM,
   KEEZHAROOR VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.NISHIN GEORGE VIJAYABABU

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE, ARYANCODE
   POLICE STATION, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7396 of 2007

Dated this the 3rd day of December, 2007

ORDER

Application for regular bail. Petitioners are accused 2 and 3. Altogether there are 5 accused persons. The 1st accused was arrested and as per order dated 21.11.2007 in B.A.No.7133 of 2007, the said 1st accused was granted bail subject to conditions. Petitioners were arrested on 16.11.07. They continue in custody from that date.

2. I have adverted to facts in detail in the said order dated 21.11.007. This order must be read in continuation of the said order. I am not hence adverting to facts in any greater detail in this order.

3. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate conditions may be imposed on the accused and I am satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions. I am satisfied that the request of the learned Public Prosecutor that appropriate further conditions may be imposed on the 1st petitioner/2nd accused, can be accepted in the light of the criminal antecedents of the said petitioner.

4. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) The 1st petitioner/2nd accused shall not enter the jurisdiction of the Aryankode Police Station during the said period of 2 months without the prior permission of the learned Magistrate except for the purpose of complying with condition No. (ii) above.

(R.BASANT, JUDGE)

rtr/-